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09/429,758	10/28/1999	NORMAN ADAMS	ARIB-P0110-U	6287

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EXAMINER
ZURITA, JAMES H

ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 07/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	**Application No.** 09/429,758	**Applicant(s)** ADAMS ET AL.
	Examiner James Zurita	**Art Unit** 3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *application of 28 October 1999* .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-34* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-34* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *9* .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4, 14, 17, 27, 28, 31, 33 are rejected as having relative terms that render the claims indefinite.

Claim 4 contains the term "responsive to a supplier database."

Claim 14 contains the term "avoiding duplication of data already available."

Claim 17 contains the term "on a periodic basis."

Claims 27, 28, 31 and 33 contain the term "predetermined relationship."

Claim 33 contains the term "partially."

The terms are not defined by these claims, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claims 5, 21 and 30 recite various limitations that lack sufficient antecedent basis for the limitation in the claims.

Claim 5 recites the limitation "determining means" which is not found in parent claim 1.

Claim 29 recites the limitation "notification means" which is not found in parent claims 26 or 1.

Claim 30 recites the limitation "the approval handling means" which does not appear in parent claims 26 or 1. This appears to be a word processing error and

Examiner believes applicant intended to refer to "the approval path handling means" of

claim 1. For purposes of this examination, Examiner will apply the correction.

Claim 23 contains the conditional statements "if any." The conditional statements

render the claim indefinite since it is unclear to the examiner what the scope of the claim

is when the conditional statements are false. The applicant should consider rewriting

the claim language to avoid the use of conditional statements. For examination

purposes, the examiner will take the broadest reasonable interpretation of the claims

and assume that the conditional statements are false.

Claims 4, 8, 12, 13, 14, 17, 18, 19, 20, 21 are rejected under 35 U.S.C. 112,

second paragraph, as being indefinite for failing to particularly point out and distinctly

claim the subject matter which applicant regards as the invention. Regarding these

claims, the word "means" is preceded by various non-functional word(s) in an attempt to

use a "means" clause to recite a claim element as a means for performing a specified

function. However, since no function *[function]* is specified by the word(s) preceding

"means," it is impossible to determine the equivalents of the element, as required by 35

U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967).

Claim 4. The system of claim 2, wherein the order generating means includes

[function] means for determining a method of communicating the order to the supplier,

responsive to a supplier database.

Claim 8. The system of claim 6, and further including *[function] means for* the

requestor to override the information about the requestor retrieved from the personal

profile database associated with the requestor.

Claim 12. The system of claim 1, and further including:

(a)   *[function] means for* submitting a requisition in response to the global

approval indication;

     1)   wherein the requisition record generating means includes:

(b)   *[function] means for* receiving an indication of a hold time from the user via

a user input *means*, wherein the requisition *submitting means* submits the

requisition only upon occurrence of the hold time.

Claim 13. The system of claim 1, wherein the requisition record generating

means includes:

(a)   *[function] means for* receiving input from the requestor specifying a

currency unit, and

(b)   *[function] means for* reporting a purchase amount for the operating

resource in units of the specified currency unit.

Claim 17. The software system of claim 16, wherein the adaptor means includes

[function] means for interacting to the legacy database program on a periodic basis.

Claim 18. The software system of claim 14, wherein the adaptor means includes

[function] means, responsive to the global approval indication, *for* transferring the

requisition to an ERP system of the enterprise.

Claim 19. The software system of claim 18, wherein the adaptor *means* further

includes *[function] means for* retrieving, from the ERP system of the enterprise, a

purchase order number corresponding to the requisition.

Claim 20. The software system of claim 18, wherein the adaptor means further includes *[function] means for* retrieving supplier information from the ERP system of the enterprise.

Claim 21. The software system of claim 20, and further comprising: *[function] means for* creating a supplier profile based on the supplier information retrieved from the ERP system of the enterprise.

Claims 25 and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Since the words "status change recognition means" and "notification means" are not followed by the word "for" it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967). For purposes of this examination, Examiner will interpret claims 25 and 29 as follows:

Claim 25. The software system of claim 24, wherein the approval path handling means includes:

(a)   status change recognition *means for recognizing* [that recognizes] a change in status of the requisition as a result of action taken by an approver, and

(b)   notification *means for notifying the requestor of the status change,* responsive to the status change recognition means [wherein the notification means operates responsive to the status change recognition means to notify the requestor of the status change].

Claim 29. The system of claim 26, and further comprising: notification *means for*

notifying the approver at said next position that action is required to be taken, by that

approver, on the requisition in response to the requisition being moved to the next

position in the approval path [wherein in response to the requisition being moved to the

next position in the approval path, the notification means notifies the approver at said

next position that action is required to be taken, by that approver, on the requisition].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over

King et al. (US Patent 5,319,542) in view of Gardner (US Patent 5,758,327) and further

in view of Lemble (US Patent 5,315,504).

King discloses a system that generates purchase requisition records (Col. 2,

lines 20-67). The purchase request may be generated according to combination of

input from a requestor and information concerning an item being purchased stored in a

database (see at least Col. 4, line 47-Col. 5, line 30). King determines approval path for

purchase requisition according to approval rules (Col. 6, lines 1-30).

King discloses generating a requisition, communicating an order to a supplier as

a purchase order. Since it's usually important to known where to send a purchase order

and who to pay, supplier indicator information may include one or more of the following:

a supplier name, postal address, fax number, email address, electronic address, etc.

See at least Col. 2, lines 12-64. King discloses creating a supplier profile (see at least

Col. 4, lines 47-67). Such profiles are necessarily based on supplier information, and

the information is often stored in an enterprise's systems. It is well-known in the art that

companies often have lists of preferred suppliers. Thus, a requisition and purchase

order system often includes programs and protocols to access this data on an ERP

system.

As King discloses, approver-specific information is often referred to as personal

profiles, in accordance with company specifications. Approval authorities may be

changed by administrators or other approvers. Since requisitions are internal to a

company, it is common practice to assign a requisition a unique identifier according to a

company's accounting system. In addition, it is logical to specify where purchased

products are to be sent. Such instructions may be stored in a database (as in King).

Alternatively, authorizations may be input by an approver or requestor, since they

usually know why a product is being requested, where the product should be delivered

and other details. It is well-known to allow users to update selected profile information.

For example, companies often move a person from one office to another, or from one

department to another. Company factories may be relocated or created in different

geographical locations. In addition, persons may be promoted and assigned new

responsibilities. Persons may also leave a company's employment voluntarily. People

may be laid-off, demoted or even fired. It is common practice to prevent access to a

system by former employees, and to reassign a person's tasks and responsibilities. Responsibilities may also be time-limited. For example, a person may leave on vacation, maternity leave, or a person may be hospitalized indefinitely. Other well-known ways of guiding approvals include amount-limits, time limits, etc.

While King does not specifically disclose how to handle a requisition when an approver has not responded based on a specified time span, limitations by hold time are well known in the art. For example, with Just In Time/JIT inventory systems time is critical in requisitioning and ordering of products. In JIT, companies attempt to limit the costs associated with storing inventory that is necessary to carry out business. It is obvious that in such systems, it would be dangerous to allow a requisition request to be held up by any approver for longer than specified periods of time. It is obvious to provide alternate approval paths to avoid delays such as when an approver may not be able to approve/deny a requisition within specified time periods. In addition, should there be unexpected jumps or drops in demand for a company's product, it may be equally critical to change hold time parameters accordingly, particularly if the item being ordered is part of a critical path.

King discloses retrieving data from legacy databases (see at least Col. 6, lines 31-62 concerning databases on mainframe systems). Database records inherently include fields. Communication among nodes on a network as described by King inherently take place with programs on sending and receiving ends. These programs and protocols are often refereed to as adaptors. Well-known adaptors include the Lightweight Directory Access Protocol/LDAP, also disclosed in application page 43,

lines 1-10). Adaptors are often identified by names of systems that they connect. An

adaptor connecting a system to an enterprise's Human Resource Management/HRM

system, for example, might be referred to as a human resource management system

adaptor. HRM systems and adaptors are well known to one of ordinary skill in the art.

King discloses interactions with various databases, including catalog

maintenance and updates (see at least Col. 3, line 60-Col. 5, line 28). While King does

not specify frequency of interaction with a legacy database, it is obvious that such

interactions occur and they may take place on a periodic basis, since inventory needs

vary, and a supplier's products may change over periods of time and may be based on

newly patented products and services that were not available on a previous interaction.

King discloses transferring a requisition to an enterprise system (see at least Col.

5, line 30-Col. 6, line 30). It is well known in the art that transfers may be performed

when a requisition is approved/denied, since approval/ denial of a requisition often

needs to be known to multiple parties, often including a requestor and an approver.

Changes of status of a requisition and notification of such changes are critical. A

requisition system is useless if it is not able to provide such information to duly

authorized personnel. It is well-known in art of electronic commerce to provide approval

and status indicator(s) so that a computer system may identify the status of a requisition

and communicate the status to interested parties. Such indicators may be stored in a

database and accessed via global variables (in C or C++ or Java, or any other type of

machine instruction).

King discloses a purchase order number corresponding to the requisition (see at least Col. 2, lines 11-64, Col. 5, line 30-Col. 6, line 30). The use of purchase orders and purchase order numbers are well-known. Since a purchase order numbers are often internal to an enterprise, the purchase order and purchase order number are necessarily generated by an enterprise, often in an ERP system. If stored in an ERP system, the information may then be retrieved from an ERP system, since otherwise the information is useless.

King discloses the use of approval rules to determine the path that a requisition may take to according to those rules. King shows that various rules may apply, such as funding, and consequently, specific responsibilities with regard to the ordering process and completion of a requisition (see references to routing and approval tables, and also see also at least Fig. 3 and related text). King discloses roles such as buyer/purchasing agents (see at least 5, line 65-Col. 6, line 30). An entire set of approval relationships may be stored on in such approval rules. Subsets of approval rules may be defined, implicitly and explicitly, according to corporate structure, including divisions, business units, delegation rules, etc.

King discloses that requisitions may be approved or not approved by an approver and moved to the next approver according to rules (see at least Col. 5, line 30-Col. 6, line 30). King discloses the use of databases to store approval rules (see at least Col. 6, lines 16-30). King discloses that different approvers may be involved, according to areas of responsibility, company rules, etc. Various administrators maintain and update approval databases (see at least Col. 6, lines 15-29).

King does not specifically disclose that approvals may be determined at least in part by purchase amount. Lemble discloses that approvals may be by purchase amount (Fig. 14, and related text, at least col. 27, lines 43-67). Therefore it would have been obvious to one of ordinary skill in the art of electronic commerce at the time the invention was made to combine King and Lemble and disclose determining approvals by purchase amount. One of ordinary skill in the art of electronic commerce at the time the invention was made would have been motivated to include determining approvals by purchase amount for the obvious reason that limits by amounts are well known and common. One would want to distribute the burden of approval among various persons in order to avoid bottlenecks in production and to provide a way of inhibiting preventing fraud by requiring multiple approvals (see also discussion of delegation, above).

King discloses that approval authority may be identified by a company (see at least Col. 6, lines 16-30). Gardner discloses that an alternate approver may be delegated to authorize requisitions on the basis of amount or item being requisitioned (Col. 8, lines 1-64). Neither King nor Gardner specifically disclose who may request such delegation. However, it is well known in the art that a person may delegate authority to another person for a wide range of purposes and for specified or non-specified periods of time. Delegated tasks may include signing timesheets and approving purchases in his absence. It is common in the art for persons to set up their emails to generate an "on vacation" message and to direct inquiries to another person in their absence.

Therefore, it would have been obvious for one of ordinary skill in the art to combine King and Gardner to include receiving a request from a first approver for delegating the authority of the first approver to a second approver by configuring the approval path handling means to modify the approval path such that the approval path includes the second approver in place of the first approver.

One of ordinary skill in the art would have been motivated to modify King and Gardner (to include receiving a request from a first approver for delegating the authority of the first approver to a second approver by configuring the approval path handling means to modify the approval path such that the approval path includes the second approver in place of the first approver) and include approval paths and delegation of serial or parallel approval authority for the obvious reason that a company's business must continue in the absence of one or more approvers in an approval path.

King, Lemble and Gardner do not use the words "predicate" and "consequence" "serial" "parallel." The references do not specifically describe moving a requisition to a next position in an approval path responsive to an approver approving a requisition. King does not specifically disclose notifying an approver when the approver is required to take action. The references do not specifically disclose how to prevent a first approver from taking action on a requisition when the requisition request has been moved from a first approver. However, these features are well-known to those of ordinary skill in the art, since persons in the requisition/ordering chain of authority would need the information to make decisions on whether a product is needed immediately or if a lead time and perhaps additional cost is justified. Other basis of delegating authority

are well-known to one of ordinary skill in the art and may include variables such as

amount of money involved, type of product involved, delivery dates, lead times,

department shipping addresses, etc.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to James Zurita whose telephone number is 703-605-

4966. The examiner can normally be reached on 8:30 am to 5:00 pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone numbers

for the organization where this application or proceeding is assigned are 703-305-7687

for both regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-308-

1113.

James Zurita
Patent Examiner
Art Unit 3625
July 10, 2002

JEFFREY A. SMITH
PRIMARY EXAMINER